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UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

MAY 09 2005

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CARLENE P. VARES,

Defendant - Appellant.

No. 04-10374

D.C. No. CR-01-00228-3-HG  
District of Hawaii,  
Honolulu

ORDER

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAY 11 2005

at 1 o'clock and 0 min. Y M  
WALTER A. Y. H. CHINN, CLERK

Before: Peter L. Shaw, Appellate Commissioner

The motion of Benjamin R.C. Ignacio, Esq., to withdraw as retained counsel for appellant is also construed as appellant's motion for voluntary dismissal of this appeal. So construed, the motion for voluntary dismissal is granted. This appeal is dismissed. *See* Fed. R. App. P. 42(b); 9th Cir. R. 27-9.1.

The motion to withdraw as counsel is denied as moot.

Counsel Ignacio is admonished that future failure to comply with this court's orders in a timely fashion may subject counsel to the imposition of sanctions.

The certified copy of this order sent to the district court shall constitute the mandate.

*Peter L. Shaw*

General Order 6.3

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TRUE COPY CATHY A. CATTERSON Clerk of Court ATTEST MAY 09 2005 by: <i>Candice</i> Deputy Clerk
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